

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

PETER DEGENNARO,)
Petitioner,)
v.) No. 2:15-cv-381-GZS
STATE OF MAINE,)
Respondent)

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on May 3, 2016, his Recommended Decision (ECF No. 24). Petitioner filed his Objection to the Recommended Decision (ECF No. 34) on July 14, 2016.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

Accordingly, it is **ORDERED** that:

- (1) An evidentiary hearing is not warranted under Rule 8 of the Rules Governing Section 2254 cases;
- (2) the Petitioner's pending Section 2254 Motion (ECF No. 1) is hereby **DISMISSED**;

(3) a certificate of appealability is **DENIED** pursuant to Rule 11 of the Rules Governing Section 2254 cases because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S. §2253(c)(2).

/s/ George Z. Singal
United States District Judge

Dated this 19th day of July, 2016.